

Remarks/Arguments

Reconsideration of this application in light of the above amendments and the following remarks is requested. Claims 1, 6, 17, 18 and 21 have been amended, claims 13-16 have been canceled, and claims 2-3, 7-12, and 19-20 have been maintained in their current form.

Rejections Under 35 U.S.C. §103

In a previous Office Action, claims 1, 6, 18, and 21 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,115,646 to Fiszman, et al ("Fiszman") in combination with what the Examiner stated would have been obvious to one of ordinary skill in the art. In response, the Applicant requested that the Examiner provide references for what was alleged to be obvious to one of ordinary skilled in the art. Applicant thanks the Examiner for supplying references regarding the claims above. However, Applicant submits that the claims as amended now overcome the 35 U.S.C. §103 rejections and are in condition for allowance.

Claim 1

Claim 1 has been amended to recite in part, "storing the script in a script repository; receiving a request from an automated call distribution center; retrieving the script from the script repository in response to the request from the automated call distribution center." The Applicant submits that, "retrieving [a] script from [a] script repository in response to [a] request from [an] automated call distribution center," has not been shown to be taught or suggested by the art cited as cited. For at least this reason, a prima facie case of obviousness has not been shown regarding claim 1 and it should therefore be allowable. Claims 2-3 depend from and further limit claim 1 and should also be allowable.

Claim 6

Claim 6 has been amended to recite in part, "an application server capable of receiving a request from an application platform; an import module for importing an software object after the request, the object providing functionality for the application platform." This limitation was formerly found in a dependent claim which the Examiner has alleged to be well known in the art by citing U.S. Patent No. 6,721,804 to Rubin et al. ("Rubin"). The Examiner states in the Advisory Action of May 20, 2004 that, "[Rubin] discloses visual programming wherein devices may be customized using information from a server which includes a web server and other types of servers further capable of handling email (see column 3, lines 10-15, column 13, lines 14-28 and Figures 7 and 9)." The Applicant respectfully disagrees. At column 3, lines 10-15, Rubin discloses, "the portal server 110 also provides application services such as email, online scheduling (e.g., appointments, to-do lists, etc), instant messaging, contact management, word processing and a variety of other online services. Users may access these services by logging into the portal server 110 with a valid user ID and password." Therefore Rubin teaches that the functionality of the server exists on the server prior to a request. Since there has been no prima facie showing of obviousness regarding claim 6 as amended, the Applicant submits that it is in condition for allowance. Claims 7-12 depend from and further limit independent claim 6 and therefore are allowable as well.

Claim 18

Claim 18 has been amended to recite in part, "instructions for importing a software object for providing functionality for an automated call distribution center." This limitation was formerly found in a dependent claim. Regarding this limitation, the Examiner has supplied U.S. Patent Application Serial No. US 2003/0041314 A1 by Heeren et al. ("Heeren"), citing paragraphs 25-36. The first sentence of paragraph 25 reads, "[t]he telephone system 16 comprises digital and/or analog circuits for routing

one or more incoming telephone connections to one or more respective operators.” Therefore the Heeren reference does not teach “importing a software object for providing functionality for an automated call distribution center.” In fact, Heeren teaches that the actual functionality of the telephone connections is stored in the physical circuitry which teaches away from “a software object for providing functionality for an automated call distribution center.” For at least these reasons, a prima facie case of obviousness has not been shown regarding claim 18 and it should therefore be allowable. Claims 19-20 depend from and further limit independent claim 18 and are therefore allowable as well.

Claim 21

Claim 21 has been amended to recite in part, “receiving a request from an application platform; importing a software object in response to the request into an application builder having a graphical user interface, the object providing functionality for an electronic mail system.” This limitation was formerly found in a dependent claim which the Examiner has alleged to be well known in the art by citing U.S. Patent No. 6,721,804 to Rubin et al. (“Rubin”). The Examiner states in the Advisory Action of May 20, 2004 that, “[Rubin] discloses visual programming wherein devices may be customized using information from a server which includes a web server and other types of servers further capable of handling email (see column 3, lines 10-15, column 13, lines 14-28 and Figures 7 and 9).” The Applicant respectfully disagrees. At column 3, lines 10-15, Rubin discloses, “the portal server 110 also provides application services such as email, online scheduling (e.g., appointments, to-do lists, etc), instant messaging, contact management, word processing and a variety of other online services. Users may access these services by logging into the portal server 110 with a valid user ID and password.” Therefore, Rubin teaches that the functionality of the server exists on the server prior to a request. Since there has been no prima facie showing of obviousness regarding claim 21 as amended, the Applicant submits that it is in condition for allowance.

Claim 17

In a previous Office Action, in regards to claim 17, the Examiner submitted U.S. Patent No. 6,362,836 to Shaw, et al. ("Shaw"), for evidence that some elements of claim 17 were well known in the art. However, the Examiner has not yet shown how or where the Shaw reference, or any other reference teaches or suggests, "executing the selected software application at the application server by interpreting the script and using a virtual machine with reflection," as claim 17 requires. When evaluating the scope of a claim, every limitation in the claim must be considered. MPEP § 2106C; see also *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970) (holding that all words in a claim must be considered in judging the patentability of that claim against the prior art). Examiner has not done so when interpreting claim 17. Notably, the Examiner has failed to show how or where the Shaw reference teaches or suggests, "executing the selected software application at the application server by interpreting the script and using a virtual machine with reflection." Applicant has included this limitation as an element of claim 17, and such wording is fully supported in the specification. Since all words in the claim must be considered when judging patentability, the rejection is improper and should be withdrawn.

Additionally, claim 17 has been amended to include the limitation, "retrieving a script from a script repository, such that the script represents an operational flow for an automated call distribution system." This limitation was formerly found in a dependent claim. As stated, regarding this limitation, the Examiner has cited Heeren. The first sentence of paragraph 25 of Heeren reads, "[t]he telephone system 16 comprises digital and/or analog circuits for routing one or more incoming telephone connections to one or more respective operators." Therefore the Heeren reference does not teach "retrieving a script from a script repository, such that the script represents an operational flow for an automated call distribution system." In fact, Heeren teaches that the actual functionality of the telephone connections is stored in the physical circuitry,

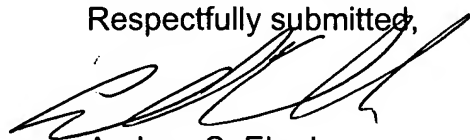
which teaches away from, "the script represent[ing] an operational flow for an automated call distribution system." For at least these reasons, a prima facie case of obviousness has not been shown regarding claim 21 and it should therefore be allowable.

Conclusion

It is clear from all of the foregoing that independent claims 1, 6, 17, 18, and 21 are in condition for allowance. Dependent claims 2-3, 7-16, and 19-20 depend from and further limit independent claims 1, 6, 17, and 18 and therefore are allowable as well.

Notice of allowance of claims 1-3 and 6-21 is requested.

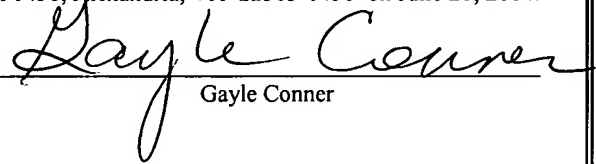
Respectfully submitted,



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